

11 February 1971

MRMORANDUM FOR THE RECORD

SUBJECT: Army Regulation 380-5 -
Establishment of TOP SECRET Classification
Category

Examination was made on 10 February 1971 of the Army record of its AR 380-5, at the Army Library, Room 1A 518, The Pentagon. In its Military Documents Section, Chief Chas. N. MACKLIN, there are loose-leaf bound files on all Army regulatory issuances, with copies of each publication and changes in them.

It was noted that the first listing of the classification category TOP SECRET was the AR-380-5 of 15 March 1944. Previous to that date the highest classification category was SECRET.

Army Regulations No. 380-5 on "Safeguarding Military Information," issued by the War Department on 18 June 1941, contains the following relevant provisions:

Section I - GENERAL

1. Definitions

c. Classified military information. -
Classified military information includes all information concerning documents, cryptographic devices, development projects, and material classified as

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secret, confidential, or restricted, as well as the items themselves. All other military information, documents, development projects, and material are regarded as unclassified.

m. Registered document. - A registered document is a secret or confidential document or cryptographic device which is assigned a register number for use in accounting to the office of record at periodic intervals.

2. Responsibility.

a. The safeguarding of classified military information is the responsibility of all military personnel, or civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

4. Dissemination of classified military information.

a. When classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited.

8. Secret matter.

a. When classified secret. Documents, cryptographic devices, development projects, or

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articles of material will be classified and, if practicable, marked secret when disclosure of the information or features contained therein might endanger national security, cause serious injury to the interest or prestige of the nation or any governmental activity, or would be of great advantage to a foreign nation.

b. Examples of items classified as secret.

(1) War plans.

(2) Documents relating to the design and development of new material and containing information of the type described in a. above.

(3) Codes, ciphers, and cryptographic devices used to transmit secret information.

(4) Certain military maps and photomaps.

(a)

(b)

(5) Information concerning items of material and methods of assembly classified as secret by a chief of arm or service.

(6) Photographs of any secret . . .

c. Authority to classify as secret. - Matters may be classified as secret only by or by authority of the Secretary of War; the Under Secretary of War; an Assistant Secretary of War; the Chief of Staff, or an Assistant Chief of Staff of the War Department General Staff; a Chief of arm, service, or the National

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Guard Bureau; a general officer; the commanding officer of a depot, post, camp, or station; the commandant of a general or special service school; or a military attaché.

d. Dissemination of secret matter. held to an absolute minimum . . . exclusively for the official use of the person who will be responsible for its safe custody and security

9. Confidential matter.

a. When classified as when disclosure although not endangering the national security, might be prejudicial to the interest or prestige of the United States, a governmental activity, or an individual, or be of advantage to a foreign nation.

b. Examples.

(1) Regulations governing joint action of the Army and the Navy.

(2) Documents relating to the design and development containing information of the type in a. above.

(3) Codes used to transmit confidential

(4) Certain military maps

(5) Technical a. above

(6) Photographs

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(7) Certain reports, orders, or instructions pertaining to individuals, such as those relating to investigations, special assignments, and other.

(8) mobilization

(9) strength of garrisons in overseas departments

c. Authority by any commissioned officer.

10. Restricted matter when . . . for official use only, or . . . administrative privacy or denied the general public . . . by any commissioned officer

20. Storage of classified documents.

a. Storage of classified documents not registered.

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) in the most secure space available, preferably the equivalent of a three-combination safe.

(2) Only commissioned officers, warrant officer, and specially trusted enlisted men and civilian employees will be permitted to have

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access to the containers of registered documents or the combinations or keys thereto.

(3) Safes kept locked
whenever not under the direct supervision
of a person officially entrusted with the combination

22. Destruction - burned

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The next issuance of a new AR-380-5 after the foregoing one of 18 June 1941, was on 28 September 1942. In this 1942 version the classification categories remained SECRET, CONFIDENTIAL, and RESTRICTED.

The first appearance of the category of TOP SECRET was in AR-380-5 of 15 March 1944. Relevant provisions of this are as follows:

Section I - GENERAL

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3. Categories. - Official matter requiring classification shall be examined and graded under one of the following categories: -

- a. TOP SECRET (signal abbreviation, TOPSEC)
- b. SECRET
- c. CONFIDENTIAL

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d. RESTRICTED

4. Top Secret Matter.

a. When classified top secret. - Certain secret documents, information, and material, the security aspect of which is paramount, and whose unauthorized disclosure would cause exceptionally grave damage to the nation shall be classified TOP SECRET.

b. The following are examples of matter which normally will be graded TOP SECRET:

(1) Plans or particulars of future major or special operations.

(2) Particulars of important dispositions or impending moves of our forces or convoys in connection with (1) above.

(3) Very important political documents dealing with such matters as negotiations for alliance and the like.

(4) Information of the methods used or success obtained by our Intelligence Services and Counterintelligence Service or which would imperil agents.

(5) Critical information of new and important munitions of war, including approved scientific and technical development.

(6) Important particulars of cryptography and cryptoanalysis.

5. Secret matter. a. would endanger national security

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The next issuance of a new AR 380-5 after 15 March 1944, was that of March 1946, a copy of which we have in our files.



OS/Historical Staff

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